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Of these the Kubachins,¹ skilled armourers, the Kurins and the Tabasserans—the two latter tribes probably descendants of Persian colonists—were the most peaceable, industrious and civilised, while the Avars were the most warlike. All the Daghestanli tribes were organised on a patriarchal and extremely democratic basis—the chiefs being elective and controlled by councils of elders. To quote Hanway—"as they live under a kind of republican government, the distinction paid to him (the chief) is not very considerable."²

Distinct, racially and politically, from the other mountain tribes were the Ossets, who, divided into four main tribes—Digurins, Tagaurs, Kutatins and Alaghirs—were settled over the southern slopes of the Central Caucasus and in the valley of the Upper Araghva. Their social organisation, with its divisions into classes of nobles and serfs, corresponded in many respects to that of the western tribes.

The mountaineers possessed the accepted characteristics of all semi-civilised peoples: on the one hand reckless courage, extreme generosity, hospitality, loyalty, respect for the aged and love of animals; on the other hand a sensibility to offence and a childish vindictiveness which was expressed in perpetual and blood-thirsty vendettas, extreme personal vanity, a disinclination to submit to discipline or to undertake regular work, cruelty, callousness and violence.

All travellers unite in praising the hospitality of the mountaineers. "They fulfil the duties of hospitality with the most scrupulous attention, and both the host and his guest style one another *conacco*,³ which is synonymous with *hospes* in Latin. On the departure of the latter, his host escorts him to another lodging, protects him, and, if necessary, risks his own life in defence of his guest. Though it has been observed that robbery is so general in this country that it may be considered as a regular profession, they nevertheless manifest the utmost fidelity to their *conacci* or guests.⁴ Of the Ingushes Klaproth says, "At entertainments the host always waits upon his guests, and eats only what the latter throw him."⁵

The chief occupation and interest of the tribes lay in perpetual raids against their neighbours, or against the inhabitants

¹ Chantre, basing himself on Kubachin legends, suggests that this community was of Greek origin, the descendants of a colony of armourers settled by the Persian Kings at Derbend (Chantre, iv, 228).

² Hanway, i, 373.

³ The Italianised form of "kunakh."

⁴ Klaproth, p. 336, Dubois de Montpereux, i, 88, both quoting Interiano.

⁵ Klaproth, p. 349.

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Hospitality is a national institution in the Caucasus. A guest is considered sacred; the host takes pride in receiving him and does his utmost to protect and honor him; if the host is poor, he can count on his neighbors to provide him with all the occasion requires. Most of the mountain peoples had special rooms or huts for guests (Russ. kunatskaia), and the right of hospitality was taken so seriously that injury caused to a guest could involve the host in a blood feud. There have been even instances in which communities were ruined by it, as for instance the Abadzekh settlement near Goriachii Kliuch, where the sick and wounded were taken during the Caucasian war; the inhabitants were obliged by custom to receive and support as guests the patients coming to the springs. When, during the famine of 1933, groups of Ukrainians came to the Circassian settlements in the N. W. Caucasus in search of food, considerable tension was caused by the Soviet government's prohibition to give them comfort, which ran counter to the Circassian customs of hospitality.

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The homage due superior age finds expression in a number of rules of etiquette: one does not sit down unless older persons present are seated, and invite one to sit down also; one dismounts from horseback before addressing an older person; one offers one's horse to an old man going on foot to the same destination, etc.

(1) The *Kanak*-relationship is a contract between two men of different localities according to which they are obliged to offer mutual hospitality and protection whenever the occasion lends itself. Whenever a Caucasian passes near a fellow-*kanak's* village while travelling, he will infallibly pay him a visit and will lodge with him at least for the night. Restaurants, inns, and hotels are unknown among the mountaineers; the institution of *kanak*-relationship is however, an excellent substitute. Any offense committed against the guest will be avenged as if it were against one of the family. In fact, the bond that unites the *kanaks* is considered as sacred as, if not more sacred than, the family tie. The institution is found throughout North Caucasias.⁷⁹ The question whether members of the two families may intermarry or not seems to have been overlooked by the fieldworkers. It may very well be that such marriages are even preferred. We know for certain that such marriages are not barred in Ossetia.⁸⁰

(2) Another form of fictitious kinship is the *ileush*.⁸¹ According to Longworth it constitutes an impediment. The *Cherkess*, we are told, take an oath among themselves and become "brothers," and "to strengthen the illusion of their being such, their families are not allowed to intermarry; a regulation so rigidly observed, that even where the society is composed of many thousands, as in the case of the powerful one of Natquo, it still holds good, and a marriage between two individuals of it is looked upon as incestuous."⁸²

(3) Relationship by milk (*parenté de lait*, *Milchverwandschaft*) is a widespread institution. There are two ways in which the relationship can be formed: either by actual breast-sucking or by mere contact of the lips and breast of a woman.⁸³ The kinship thus formed is as sacred as that of consanguinity. Karginov describes how an Ossetine lover was once forced to kiss the breast of his beloved, the aim of the act being to put an end to their adulterous friendship, for once his lips would touch her breast he would become her "son." From that moment on intercourse and marriage would be looked upon as incestuous.⁸⁴ Gaerber wrote in 1728: "Whenever the Usmei has a son, he is carried round from village to village, and alternately suckled by every woman who has a child at her breast until he is weaned. This custom, by establishing a kind of brotherhood between the prince and his subjects, singularly endears

⁷⁹ An excellent description of the *kanak*-relationship can be found in Dirr's article, "Aus dem Gewohnheitsrecht der kaukasischen Bergvölker," *Zeitschr. f. vergl. Rechtsw.*, XLI (1925). See also Interiano, *Della vita dei Zyghi, chiamati Circassi*, Ramusio, II (1559), folio 140 v. M. Kovalevskij, *Costume contemp.*, p. 190: Ossetes, Tartars, Kumyks have the practice too. N. Jakovlev, *Ingalu*, pp. 15-25.

Grabovskij, "Ekonomičeskij i domasnij byt činelej gorskago učastka Ingulevskago okruga," SSKG, III (1870), pp. 4-7.

A. P. Berke, *Cečens i Čečency*, pp. 86 f.

The host will even give up his life for his guest; see R. Erkert, *Der Kaukasus*, p. 108.

⁸⁰ M. Kovalevskij, *Costume contemp.*, p. 214.

⁸¹ For possible origin of the practice and ceremonies connected with the institution see V. V. Vasil'kov, "Očerč byta temirgoevcev," SMOMPK, XXIX (1901), No. 2, pp. 80 f.

⁸² A Year among the Circassians, I, p. 229.

⁸³ Dubrovina, *Istorija*, Tome I, Bk. I, pp. 439 f.

⁸⁴ S. Karginov, "Kosovskaja mest' u ossetin," SMOMPK, XLIV (1914), No. 2, p. 133.

as well as departed, a degradation of her womanly dignity, a serious usurpation of the inviolable *patria potestas*.⁹³ To borrow Baddeley's words again: "Woe betide the gay lover should the fleetness of his horse fail to place between him and his pursuers the barrier of a black night... if caught in the first hot pursuit, the hero of the escapade paid for his love and daring with his life, the daggers of the vengers sheathed in his heart..."⁹⁴ 583 [683]

When a daughter elopes (runs away or is "captured") she too is in constant danger of being killed by her own family, till, of course, reconciliation takes place. Fortunately, everywhere among the mountain tribes the customary law requires all to give shelter and protection to the "bride" and "groom," however in separate *saklias* (houses) or rooms.⁹⁵ 574

Besides seriously endangering his life, the capturer is obliged to pay certain additional fines, as is the case in the NORTHWEST, for example, among the Kabardians,⁹⁶ and in the NORTHEAST among the Lesghians⁹⁷ and Ingushi.⁹⁸ In Ingushetia the *adats* demand the liberation of the abducted woman and a fine of Rs. 50 from the abductor and Rs. 15 from all who cooperated with him.⁹⁹ On account of the many details and repetitions involved we present the Leshian *adats* in the form of a table (Table 12). The SOUTHERN CAUCASIANS, the Khevsurs, have an additional penalty known as *banse shekhtoma*, i. e., reconciliation "by jumping on the roof," which consists in a special feast for the relatives and neighbours of the abducted woman, and a fine of a one- or two-year-old ox and a kettle.¹⁰⁰ The *adats* of the TURKIC peoples of the Caucasus likewise impose additional fines for abduction. The Kумыkian and Nogaian *adats* demand full bloodwite as a condition for reconciliation.¹⁰¹ If the bride refuses to remain with the kidnapper, she must be allowed to return, and, besides, he must give her the full *kebin-khak* (the usual guarantee given to the wife in case of divorce).¹⁰²

⁹³ Grabovskij, "Ekonomičeskij i domašnij byt etc.," p. 21.

⁹⁴ Cf. Dirr, FT, pp. 125 f; Castagné, *op. cit.*, pp. 271 f; Grabovskij, "Očerok suda i uglovnyh prestuplenij v Kabardinskom okrugě," p. 36.

⁹⁵ Baddeley, *op. cit.*, II, pp. 88 f.

⁹⁶ Dirr, FT, p. 126; "Adaty Darginskich Oblčestv," SSKG, VII (1873), p. 50.

⁹⁷ Grabovskij, "Očerok suda etc." pp. 39, 41 f.

⁹⁸ See Table 12.

⁹⁹ Leontovič, II, p. 170, § 127.

¹⁰⁰ *ibid.*

¹⁰¹ Seidlitz, "Gemeinde- und Familienleben der Chewsuren," *Das Ausland* (1891), No. 16, p. 318.

¹⁰² Semenov, "Očerki narodnyh obyčajev Kумыkov Terskoj Oblasti," *Terskij Sbornik*, II (1892), No. 2, Part 2, p. 77, § 12.

¹⁰³ "Adaty hitelej Kумыskoj ploskosti," SSKG, VI (1872), pp. 15 f.

842 very special festivities take place. Shooting, feasting, and dancing mark the birth
[844] of a boy; whereas no special festivities take place if a girl is born. Women, of course, come to congratulate the mother, at the same time not forgetting to console her.¹⁶

[574] All Lesghian peoples prefer boys too. The first one to announce the good news of the birth of a boy receives a reward.¹⁷ The Avars have the curious custom according to which anyone to whom a son (not however a daughter) was born in the past year has to give a special feast to his neighbours in spring.¹⁸

The SOUTHERN CAUCASIANS. The Pshavs frequently pray and offer numerous sacrifices for the blessing of a male child, and if these supernatural means fail, there is only one thing left to do—marry a second wife, who is "capable" of giving birth to boys.¹⁹ At a Pshav wedding the *kbevis-beri* ("The Elder of the Valley") prays: "George, Angel of the Oak, grant thou a boy to the parents of a girl and another boy to the parents of a boy..."²⁰ Dubrovin
[847] reported that among the Georgian mountaineers baby girls were killed immediately after birth because they believed that by doing so the next child would infallibly be a boy. One could come across families who had killed as many as five girls.²¹

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842 The OSSETES have an unusual longing for male children. Thus, for example, the Digorians are greatly disappointed when a girl is born, and this disappointment is expressed sometimes in very irreverent words by the woman-attendant. "May Mairan (Mary) be struck blind for not making you a boy! May she now provide for you a speedy death!" But then, if the following child is a boy, the woman-attendant pleads for forgiveness, "Oh, Mairan, forgive me! They longed for a boy. That is the reason why I scolded thee."²² We have
already mentioned the marriage custom of leading the bride to a Mairam²³ Shrine, at which the children throw stones and say, "So many boys and only one blue-eyed girl grant thou Mairam, to this our dear bride!" The groomsman then must repeat this prayer.²⁴ At an Ossetine marriage the Ram-god (Firi-dzuar) is invoked: "Look down upon us and grant that this our bride may give birth to boys healthy and fat as sheep!"²⁵ We have also mentioned the marriage ceremony of placing a little boy on the lap of the bride, so that she may soon give birth to a boy (*supra*, p. 122). Or again, while the groomsman describes a triple

¹⁶ Grabovskij, "Ekonomičeskij i domskij byt žitelj gorakago učastka Ingulevskago okruga," SSKG, III (1970), pp. 19 f.; Dubrovin, *Istorija*, I, i, p. 439.

¹⁷ Kovalevskij, *Zakon*, II, p. 202.

¹⁸ Baddeley, *op. cit.*, II, p. 63. A similar custom is found in Ossetia (Pčelina, *op. cit.*, pp. 99 f.

¹⁹ Makalatija, "Iz starogo narodnogo byt Plavov," SE, 1938, No. 1, pp. 110 f.

²⁰ Makalatija, *op. cit.*, p. 108; Kovalevskij, *Zakon*, I, p. 98.

²¹ *Istorija*, I, ii, p. 110.

²² Baddeley, *op. cit.*, I, p. 158.

²³ Baddeley interprets "Mairam," "Mairem," "Mairan" as "Mary," i. e., the Virgin Mother of Jesus Christ. However, Mairam is a male god, the protector of women, the brother of Uastrdzh. (Cf. Pčelina's report on his expedition of 1934—1936, "Rodil'nye obyčaji u Ossetin," SE, 1937, No. 4, p. 86, note 2.)

²⁴ Baddeley, *l. c.*

²⁵ Baddeley, *op. cit.*, I, p. 270.

684 unjust death penalty. (5) Finally, the adulteress was merely divorced; she lost her right to the *kebin*, while the *kalym* had to be returned to the husband. The adulterer was obliged to pay a fine.

Amputation of the adulteress' ears and nose is a punishment found in the *adats* of all Caucasians. It is interesting to note that a Hittite code (about 1350 B. C.) engraved on a stele has been dug up, which expressly legalized such mutilation in case of adultery.⁶⁵ This code may be based on a substratum of customary laws which are now preserved in the isolated *auls* of the Caucasus.

2. Motives

The main motives for punishing sexual offenses seem to be: (1) in case of defloration, the girl loses her value and consequently the family suffers a great economic loss;⁶⁶ (2) there is a serious danger of a stranger being born into the sacred sanctuary of the home and later treated as a legitimate member and even as head of the family (*supra*, p. 126).

3. Reports regarding Sexual Laxity of the Caucasians

834 In view of such severe penalties as we have described above, we cannot help being suspicious about some of the reports regarding laxity of morals among [83] the mountain tribes of the Caucasus. The Kuban Cherkess are supposed to have formerly been proud of the fact that their wives attracted other men. Every [83b] woman had to have a lover to prove her true value.⁶⁷ Longworth's report, to mention but another example, contrasts the scrupulousness after marriage with "their unconstrained demeanor before marriage."⁶⁸ "The maidens of Circassia are allowed a latitude in their behaviour which is elsewhere unknown; not only do they talk and dance with the other sex, but when they please, they exercise their blandishments to an extent that to a stranger is no less perplexing than agreeable."⁶⁹ Then there are the many reports about public religious hetæcism. [76] Interiano claims that at funerals of prominent personages a very strange sort of sacrifice takes place: a girl of 12 to 14 years of age is placed upon a skin [164] of an ox that has just been slaughtered and in the presence of men and women a robust young man of the community must try to deflower her. After several failures, the young man promises to marry her (or makes some other promises), and then the girl usually consents.⁷⁰ There are also the reports about sexual hospitality, for example, in the "Relation du Sieur Ferrand médecin du Khan 837 des Tatares, touchant la Crimée, les Tartares-Nogaïes et ce qui se passe au serail 836 du dit Khan,"⁷¹ in *Voyage historiques et géographique dans les pays situés entre 574 la Mer Caspienne par Edouard Barbier du Bocage et de Baert*, as well as in the

⁶⁵ H. C. E. Zacharias, *Protohistory*, p. 253.

⁶⁶ *Supra*, pp. 126 f.

⁶⁷ Dirr, AGKB, pp. 81 f.

⁶⁸ Longworth, *A Year among the Circassians*, I, p. 286.

⁶⁹ Longworth, *op. cit.*, I, p. 216.

⁷⁰ Ladyženskij, FT, p. 183, Dirr's note.

⁷¹ In *Recueil des Voyages au Nord*, Amsterdam, 1718.

writings of the Arabs al-Mas'ūdī and Abu-El-Kasim. They claim that the father offers one of his daughters to his guest as a mere point of hospitality. Stählin⁷² claimed that illegitimate children were treated the same as legitimate. On the other hand, a large number of authors, such as Struys, Lamberti,⁷³ Neumann,⁷⁴ and others, claim that the Cherkess women are extremely modest. The true solution to these conflicting reports is the one suggested by Ladyženskij.⁷⁵ "Der richtigsten Standpunkt nimmt in der Frage Garni ein (Reisen in den Ländern der asiatischen Türkei und des Kaukasus, 1854). Er betont die Keuschheit der freien Frauen und den Hetärismus der Sklavinnen." This is also Dirr's opinion.⁷⁶ In other words, the reports are true only to a certain extent: the freewomen are exceptionally modest, while the slaves exceptionally immodest, religious prostitution and sexual hospitality being restricted to slaves. Such conduct in regard to freewomen would be impossible considering the great economic loss the family would suffer from defloration, considering also the virginity test, and, finally, the fear of illegitimate children. On the other hand, defloration, virginity, and illegitimate children in the case of slaves would offer no serious difficulty.

We have a similar problem in regard to some of the Lesghians. As we have mentioned above, Herodotus wrote of the Lesghians that "they copulate in public as beasts are wont to do."⁷⁷ Przewalski reported that at Tsunta-Akhvakh unmarried couples were allowed to sleep together.⁷⁸ Baddeley confirms Przewalski's report: "It is the custom for a host to give his guest one of his daughters or some other girl to sleep with. The couple may... do what they like provided the maidenhead remains intact; and even that depends on the fair one's goodwill. But should the guest so far forget himself as to force her, he will pay for it with his life. Those people think meanly of a girl who has never slept with an honoured guest."⁷⁹ Baddeley's guide, a native of Ossetia, "accepted this as a fact, and added that something of the same sort went on in certain of the older Cossack 'stanitsas' on the Terek, instancing Tchervlenaya."⁸⁰ Herodotus' report is useless, for we do not know exactly who is meant, but there is no reason to doubt Przewalski and Baddeley. However, we wish to stress that this is a custom found exclusively in Tsunta-Akhvakh and is, by no means, the picture of entire Daghestan. Tsunta-Akhvakh is only a village (in 1901 it had only 415 inhabitants), which constitutes an exception

⁷² Jacob v. Stählin, *Nachrichten von Tschirkassien oder von dem Karbardinischen Lande*, 1771, referred to by Ladyženskij, FT, p. 185.

⁷³ Cf. Ladyženskij, l. c.

⁷⁴ Neumann, *Rußland und die Tscherkessen*, cf. Ladyženskij, l. c.

⁷⁵ Ladyženskij, l. c. Ladyženskij, "Zur Erforschung der Rechtsgewohnheiten, etc.," pp. 243 f.

⁷⁶ Ladyženskij, FT, p. 184. Cf. Castagné, "Le droit coutumier familial des montagnards du Caucase," p. 252: "Supposer que le montagnard adighé pût proposer sa fille ou sa femme à un hôte, serait compréhensible si la femme des montagnards avait été esclave, mais cela n'étant pas, une supposition de ce genre doit être considéré comme sans fondement aucun."

⁷⁷ Cited by Potocki, *Voyage dans les steppes d'Astrakhan et du Caucase*, I, p. 240; to which Potocki adds, "Celle de quelques vallées du Caucase sont encore très libres."

⁷⁸ Kovalevskij, *Zakon*, II, p. 189.

⁷⁹ Baddeley, *op. cit.*, II, pp. 13 f.

⁸⁰ Baddeley, *op. cit.*, II, p. 14.

837 to the general rule. This village is inhabited by a degraded Avarian tribe or,
 836 as Baddeley suggests, "perhaps the remnant of an older race absorbed by the
 574 latter."⁸¹ But even here, among this "degraded" Avarian tribe, the girl
 "might only be touched from waist upwards; in Shamyl's time a too-ardent
 lover was stabbed to death, for a breach of this adat, by his own beloved, and
 the deed was not only not punished but even greatly applauded."⁸²

936 There are also similar conflicting reports regarding the neighbouring mountain
 tribes of Georgia. Klaproth, for instance, speaking of the Tushi, says, "Le
 commerce illicite entre les deux sexes est très rare chez eux..."⁸³ Klaproth's
 claim is in full accord with the severe penalties for fornication as described by
 Baddeley: "If a girl was unchaste, she was set upon a donkey, face to tail,
 and carried through the 'aoul', spat upon and jeered at." He goes on to say
 that "if a girl had a child, she was driven out of the community and the child
 killed, unless some charitable person took pity on it. A young man could not
 marry a girl once seduced by another man, but an old man or widower might."⁸⁴
 Other reports, however, maintain the very contrary and say that the mountain
 tribes of Georgia are extremely lax. A few distinctions will, I believe, clarify
 these contradictions. The Khevsurs⁸⁵ and the Pshavs⁸⁶ have an institution called
tsatsali, that is, "brother" or "sister" but actually legal lovers. It is only
 freedom with non-*tsatsalis* and pregnancy that seems to have been discounten-
 anced by these tribes. As long as the girl restricted her relations to her *tsatsali*
 and avoided pregnancy she was "chaste." One of the main reasons for the
 [582] relatively late marriage age among the mountain tribes of Georgia (*supra*, p. 67)
 is this institution.⁸⁷

4. Relation of Penalties for Sexual Offenses to the Economic and Social Organization of the Caucasian Mountaineers

182 All that we have said about the severity of the penal laws of the North
 687 Caucasians is in perfect harmony with their general economic and social organi-
 zation. It is a known fact that lower hunters discountenance sexual liberty more
 than the higher hunters; the lower agrarians more than the higher; the pastor-
 alists more than the agrarians; the father-right family more than the mother-
 right.⁸⁸ Our North Caucasians have a strongly pastoral and father-right
 organization.

⁸¹ Baddeley, *op. cit.*, II, p. 13.

⁸² *ibid.* Baddeley's source is Komarov's article "Adaty i sudoproizvodstvo po nim," SSKG, I, p. 57. Dubrovin, *Istorija*, I, i, p. 564 has the incident too, but he fails to mention his source.

⁸³ Klaproth, *Voyage au Mont Caucase et en Géorgie*, II, p. 72.

⁸⁴ Baddeley, *op. cit.*, I, p. 237.

⁸⁵ Kovalevskij, "La famille matriarcale au Caucase," *L'Anthropologie*, IV (1893), p. 273.

⁸⁶ Makalatija, "Iz starogo narodnogo byta Pšavov," SE, 1938, No. 1, p. 98.

⁸⁷ Since the *tsatsali* in Pshavia are always chosen from among relatives and marriage is possible only between non-relatives, marriage would mean that the two would have to separate and love another person, a fact that makes them reluctant to marry. In fact, they sometimes do not marry at all. For a detailed exposition of the institution, see Makalatija, *op. cit.*, pp. 98-102.

⁸⁸ H. Günther, *Formen und Urgeschichte der Ehe*, p. 90.